

FEB 02 2007

Application Serial Number 10/522,845
Response to Office Action
Dated October 2, 2006

REMARKS / DISCUSSION OF ISSUES

Claims 1-4 are presently under consideration. Claims 1 and 3 are independent claims.

Objection to the Specification

Applicants have considered the objections to the Specification. Respectfully, Applicants decline to add these decline to add the headings as they are not required in accordance with MPEP §608.01(a).

Rejections under 35 U.S.C. § 102

Claims 1-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Koller, et al.* For at least the reasons set forth herein, Applicants respectfully submit that this rejection is improper and should be withdrawn.

At the outset Applicants rely at least on the following standards with regard to proper rejections under 35 U.S.C. § 102. Notably, a proper rejection of a claim under 35 U.S.C. § 102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983). Anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. *See, e.g., In re Paulsen*, 30 F.3d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994); *In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990). Alternatively, anticipation requires that each and every element of the claimed invention be embodied in a single prior art device or practice. *See, e.g., Minnesota Min. & Mfg. Co. v. Johnson & Johnson Orthopaedics, Inc.*, 976 F.2d 1559, 24 USPQ2d 1321 (Fed. Cir. 1992). For anticipation, there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. *See, e.g., Scripps Clinic & Res. Found. v. Genentech, Inc.*, 927 F.2d 1565, 18 USPQ2d 1001 (Fed. Cir. 1991).

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Claim 1 is drawn to a transponder, and features: *"...a first circuit section and a second circuit section, wherein the first circuit section is arranged for being supplied with a first supply voltage and the second circuit section is arranged for being supplied with a second supply voltage..."*

Claim 3, which is drawn to an integrated circuit, includes these features as well.

In an embodiment described in the filed application two circuit sections 18 and 19 are intended and arranged to process data or signals. Illustratively, the first circuit section 18 and the second circuit section 19 each comprise a large number of circuit assemblies. The first circuit section 18 may contain memory, for example. The two circuit sections 18 and 19 are merely shown diagrammatically in Fig. 1 in the form of load resistors having resistances RL-HV and RL-LV respectively.

The Office Action asserts that the applied art disclose the claimed first and second circuit sections via the "first set of circuits 6 and 9...and the second set of circuits 7 and 25." While Applicants in no way concede that circuits 6, 7, 9 and 25 are circuit sections as claimed, the present rejection is improper because the Office Action attempts to apply a teaching of one element of the applied art to more than one element of the claim under examination. To wit, in addition to the first and second circuit sections, claim 1 also features first rectifier means and second rectifier means. The Office Action also relies on rectifier stages 6 and 7 as teaching the claimed first and second rectifier means, respectively. Clearly, the reference must disclose all elements of the claim to anticipate the claim. It serves to reasons that the application of the same element to two separate elements of the claim would not satisfy this requirement.

Furthermore, the filed application discloses an embodiment having a first rectifier means 20 and second rectifier means 23. Notably, these rectifier means are not claimed as nor disclosed as components of the first or second circuit sections in the present application. This provides further support for Applicants position that there is no basis whatsoever for applying the teaching of rectifier stages 6 and 7 of the reference to both the first and second rectifier means, and the first and second circuit sections.

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For at least the reasons set forth above, Applicants respectfully submit that the applied art fails to disclose at least one feature of independent claims 1 and 3. Therefore, a prima facie case of anticipation has not been established and claims 1 and 3 and the claims that depend therefrom are patentable over the applied art.

Conclusion

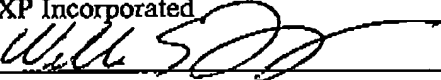
In view of the foregoing, applicant(s) respectfully request(s) that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies to charge payment or credit any overpayment to Deposit Account Number 50-0238 for any additional fees, including, but not limited to, the fees under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted on behalf of:

NXP Incorporated



by: William S. Francos (Reg. No. 38,456)

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